



PATENT APPLICATION
SERIAL NO.: 09/242,772

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

ATTORNEY'S DOCKET NUMBER:

Willem J.M. VAN DE VEN et al.

3374-990278

ENTITLED:

"PLAG GENE FAMILY AND TUMORIGENESIS"

To: **BOX CPA**
Commissioner for Patents
Washington, D.C. 20231

EXPRESS MAIL CERTIFICATE

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Date of Deposit July 30, 2001

I hereby certify that the following attached papers and fee:

CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL (2 pp. in dup.); SUPPLEMENTAL AMENDMENT (2 pp.); ONE (1) SHEET OF MARKED-UP CLAIMS; and A CHECK IN THE AMOUNT OF \$710.00 TO COVER THE CPA FILING FEE.

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and are addressed to the Commissioner for Patents, Washington, D.C. 20231.

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Mary Pat Rossi

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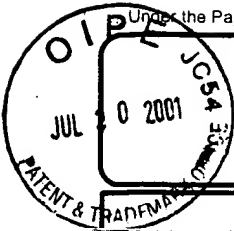
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CPA/1655/18

PTO/SB/29 (10-00)

Approved for use through 10/31/2002. OMB 0651-0032
 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL

Submit an original, and a duplicate for fee processing.

(Only for Continuation or Divisional applications under 37 CFR 1.53(d))

CHECK BOX, if applicable:

☒ DUPLICATE

Address to:

Assistant Commissioner for Patents
Box CPA
Washington, DC 20231

Attorney Docket No.
of Prior Application

3374-990278

First Named Inventor

Willem J.M. VAN DE VEN et al.

Examiner Name

Cynthia B. Wilder

Group Art Unit

1655

Express Mail Label No.

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TECH CENTER 1655

This is a request for a ☒ continuation or ☐ divisional application under 37 CFR 1.53(d),
 (continued prosecution application (CPA)) of prior application number 09/247,772
 filed on June 25, 1999, entitled "Plag Gene Family and Tumorigenesis"

NOTES

FILING QUALIFICATIONS: The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 CFR 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. Effective May 29, 2000, a CPA may only be filed in a utility or a plant application if the prior nonprovisional application was filed before May 29, 2000. A CPA may be filed in a design application regardless of the filing date of the prior application. See "Request for Continued Examination Practice changes to and Provisional Application Practice," Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office (Apr. 11, 2000).

C-I-P NOT PERMITTED: A continuation-in-part application cannot be filed as a CPA under 37 CFR 1.53(d), but must be filed under 37 CFR 1.53(b).

EXPRESS ABANDONMENT OF PRIOR APPLICATION: The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

ACCESS TO PRIOR APPLICATION: The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

35 U.S.C. 120 STATEMENT: In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 CFR 1.78(a).

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

1. ☒ Enter the unentered amendment previously filed on May 29, 2001
under 37 CFR 1.116 in the prior nonprovisional application.
2. ☐ A preliminary amendment is enclosed.
3. This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).
 - a. ☐ **DELETE** the following inventor(s) named in the prior nonprovisional application:

 - b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4. ☐ A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
5. Information Disclosure Statement (IDS) is enclosed:
 - a. ☐ PTO-1449
 - b. ☐ Copies of IDS Citations

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box CPA, Washington, DC 20231.

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CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
TOTAL CLAIMS (37 CFR 1.16(c) or (j))	9	-20* =	0	x \$ _____ =	\$ 0
INDEPENDENT CLAIMS (37 CFR 1.16(b) or (i))	3	-3** =	0	x \$ _____ =	0
MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))				+ \$ _____ =	0
				BASIC FEE (37 CFR 1.16)	\$710.00
				Total of above Calculations =	00
Reduction by 50% for filing by small entity (Note 37 CFR 1.27).					
* Reissue claims in excess of 20 and over original patent.				TOTAL = \$710.00	
** Reissue independent claims over original patent.					

6. ☐ Small entity status: Applicant claims small entity status. See 37 CFR 1.27.
7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 23-0650:
- a. ☒ Fees required under 37 CFR 1.16.
- b. ☒ Fees required under 37 CFR 1.17.
- c. ☐ Fees required under 37 CFR 1.18.
8. ☒ A check in the amount of \$ 710.00 is enclosed.
9. ☐ Payment by credit card. Form PTO-2038 is attached.
10. ☐ Applicant requests suspension of action under 37 CFR 1.103(b) for a period of _____ months (not to exceed 3 months) and the fee under 37 CFR 1.17(i) is enclosed.
11. ☐ New Attorney Docket Number, if desired _____
(Prior application Attorney Docket Number will carryover to this CPA unless a new Attorney Docket Number has been provided herein.)
12. a. ☐ Receipt For Facsimile Transmitted CPA (PTO/SB/29A)
- b. ☐ Return Receipt Postcard (Should be specifically itemized, See MPEP 503)
13. ☒ Other: Supplemental Amendment (3 pp. incl. 1 sheet of marked-up claims)

NOTE:

The prior application's correspondence address will carry over to this CPA
UNLESS a new correspondence address is provided below.

14. NEW CORRESPONDENCE ADDRESS☐ Customer Number or Bar Code Labelor ☐ New correspondence address below

(Insert Customer No. or Attach bar code label here)

Name	WEBB ZIESENHEIM LOGSDON ORKIN & HANSON, P.C.				
	ATTENTION: Barbara E. Johnson				
Address	700 Koppers Building				
	436 Seventh Avenue				
City	Pittsburgh.	State	PA	Zip Code	15219-1818
Country	U.S.A.	Telephone	412-471-8815	Fax	412-471-4094

15. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print I/Type)

Barbara E. Johnson

Signature

Registration No. (Attorney/Agent)

61,198

Date

7/30/01



#9/E
8/03/01
W

PATENT APPLICATION
SERIAL NO.: 09/242,772
ATTORNEY DOCKET NO.: 3374-990278

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

Group Art Unit 1655 :

AUG 02 2001

In re application of :

TECH CENTER 1600/2900

Willem J.M. VAN DE VEN et al. :

PLAG GENE FAMILY AND
TUMORIGENESIS

Serial No. 09/242,772 :

Filed June 25, 1999 :

Examiner Cynthia B. Wilder :

Pittsburgh, Pennsylvania
July 30, 2001

SUPPLEMENTAL AMENDMENT

BOX CPA
Commissioner for Patents
Washington, D.C. 20231

Sir:

Further to the "Amendment After Final" filed May 29, 2001 , Applicants submit
the following supplemental amendment and remarks.

IN THE CLAIMS:

Please amend claim 49 and insert the amended version of claim 49 as follows.

A marked-up version of amended claim 49 is attached hereto on a separate sheet.

E1
49. (Once Amended) A macromolecule according to claim 33 wherein
the PLAG subfamily of zinc fingers protein genes comprises the nucleic acids encoding a
polypeptide sequence which is at least 75% identical to a polypeptide sequence of PLAG1 in the
region from zinc fingers 4 to 7.